

RESPONSE

Remark 1:

Applicant respectfully requests Examiner to withdraw Melzer et al as an anticipating reference under 35 USC 102(b). Melzer et al clearly does not teach an automated method for processing immigration applications and enabling users such as prospective or recent immigrants to start, manage, and complete the immigration and associated processes on-line, the method comprising the following steps: electronically accessing a government immigration and naturalization application and servicing center system over an electronic computer network; entering preliminary screening and qualifying data particular to the user; electronically determining the eligibility of the user for initiating and completing any of the various government procedures related to immigration and naturalization based on the preliminary screening and qualifying data of the user; automatically selecting any of the various government forms which the user is required to fill out for initiating and completing the specific government procedures related to immigration and naturalization for which the user is eligible; automatically entering the correct data required by the selected forms; and electronically sending the completed forms to a particular agency according to the filing guidelines of the government, whereby any of the various government procedures related to immigration and naturalization which the user is eligible for can be initiated, performed in part or completed without making administrative errors.

Remark 2:

Melzer et al clearly does not describe a fully automated, legal services system. Melzer et al is simply a front end computer program for practitioners of immigration law, i.e., the method relates to the "front end" aspects of providing legal services. Melzer et al includes initial client screening, selection of forms by the client, simple calculation of fees based on the selected forms and payment of estimated retainer fees by the prospective client. However, once the forms are perused and selected by the client from a discrete list of forms on a viewing screen and certain data is collected, the legal services are

rendered in the traditional, typical manual manner by legal specialists employed by the legal services provider as has been done for hundreds of years at least here in the United States and possibly longer elsewhere.

The present invention is a fully automated system. The system is highly interactive, and allows a user to access a government application and servicing center on-line. Once a user enters preliminary screening and qualifying data, the system electronically determines the eligibility of the user and automatically selects the various government forms which will be required to be filled out. Once all of the fields of the required forms are populated with the accurate information, the system will automatically file the completed forms where and how required. There is no human intervention required by other than the user, i.e., the applicant in many cases. As opposed to Melzer, the system requires no legal specialists.

Remark 3:

A select few of the inherent limitations found in Melzer et al which are overcome and for which the present invention provides a novel solution are identified below, as quotations from the reference. (NOTE: This list serves merely for illustrative purposes, and is not intended to serve as a comprehensive, inclusive list of inherent limitations of the cited prior art.)

1. "An object of the invention is to provide a legal services network that automates the receipt of information from a client, provides a secure attorney-client communication channel, and a data base format *that enables an attorney to administer* a plurality and variety of matters." (Emphasis added) As stated, the present invention is a method and system for providing government immigration and naturalization filings and related legal services without a legal specialist.
2. "To that end, in an embodiment, the invention provides a network-based system in which a client may contract in real-time for the provision of legal services via a computer

interface without directly contacting an attorney, *transmit attorney-client communications to the legal services provider, and receive attorney-client communications from the legal services provider.*” (Emphasis added) In the present invention, there is no need to transmit attorney-client communications either to or from the legal service provider. Since the system is automated there is no need for intervention at all by any human being other than the user.

3. “With reference to FIGS. 3A and 3B, it is indicated therein that the answers to the questionnaire such as the questionnaire presented in FIGS. 4A-4D, are mapped to corresponding INS forms *that are prepared by the legal service provider.* In this case, there is practically a direct mapping between the responses and similar spaces on the forms. FIGS. 4A-4D merely present a template of the type of *questionnaire* to be presented to the client. In that regard, the *questionnaire* will be suited to the visa application to the client. Such different types of visas are well known at least to those in the relevant field.” (Emphasis added) It is clear that the Melzer et al program is merely a “questionnaire”, and still requires attorneys or other legal specialists to complete and file the forms. The present invention requires no attorney or other legal specialist to prepare the legal forms. In the present invention, the SYSTEM itself prepares the legal forms.
4. “It can be appreciated that the foregoing system provides a very efficient and cost effective system for the receipt and processing of application information for the processing of visa applications. The legal services provider can be engaged without having to engage in telephonic or personal interviews and further can receive and respond to inquiries via e-mail. Yet further, the system allows the provider to do the foregoing remotely from the server(s) which interact(s) with the clients.” (Emphasis added)
5. “From the foregoing description, it can be seen how a legal services provider can provide legal services via a network, such as the Internet, in a cost effective manner. In such

system, the legal services provider can be engaged in real time and conduct an initial interview via interactive computer interfaces without involving a human other than the client or potential client. The legal services provider can then process data received from the interview and provide the service requested. Further communications between the client and the legal services provider can be mostly limited to electronic communications, except in those instances where hard copies of documents with original signatures (until electronic authentication is acceptable) are required. This limited involvement of the legal service provider's personnel frees up their time so that many more matters can be attended to during the course of a day. Moreover, clients can gain instant access to information about their matters without interrupting the legal service provider's personnel.” (Emphasis added) The first line of this quote from Melzer et al characterizes Melzer et al as a tool for legal service providers. The present invention, on the other hand, actually is a legal service provider, not merely a tool or computer program for organizing and keeping track of client data. Melzer et al. is nothing more than a database to simplify the legal service providers job, whereas the present invention is a fully automated system for providing legal services directly to a user.

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CONCLUSION

Applicant respectfully submits that for all the foregoing reasons, the claimed subject matter describes patentable invention. Furthermore, Applicant submits that the specification is adequate and that the claims are now in a condition for allowance. No new matter has been entered.

Applicant hereby respectfully requests Examiner to withdraw the cited references as anticipating or obviating prior art, enter these amendments, find them descriptive of useful, novel and non-obvious subject matter, and authorize the issuance of a utility patent for the truly meritorious, deserving invention disclosed and claimed herein.

Without further, Applicant does not intend to waive any claims, arguments or defenses that they may have in response to any official or informal communication, paper, office action, or otherwise, and they expressly reserve the right to assert any traverse, additional grounds establishing specificity and clarity, enablement, novelty, uniqueness, non-obviousness, or other patentability, etc.

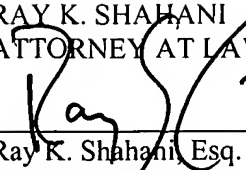
Further, nothing herein shall be construed as establishing the basis for any prosecution history or file wrapper estoppel, or similar in order to limit or bar any claim of infringement of the invention, either directly or under the Doctrine of Equivalents.

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Respectfully submitted,

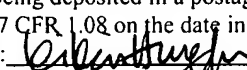
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RAY K. SHAHANI
ATTORNEY AT LAW

By: 
Ray K. Shahani, Esq.
Attorney for Applicant(s)

Ray K. Shahani, Esq. Registration No.: 37,554
Attorney at Law
Twin Oaks Office Plaza
477 Ninth Avenue, Suite 112
San Mateo, California 94402-1854
Telephone: (650) 348-1444 Facsimile: (650) 348-8655
E-mail: rks@attycubed.com

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents attached hereto are being deposited in a postage prepaid, sealed envelope with the United States Postal Service using First Class Mail service under 37 CFR 1.08 on the date indicated and is addressed to "Commissioner for Patents, Alexandria, Virginia 22313-1450". Signed: 

Date Mailed: September 27, 2004.